

Stormwater Stakeholder Advisory Group (SAG)

June 8, 2015

Draft Meeting Notes

Location: DEQ Piedmont Regional Office
Training Room
4949-A Cox Road, Glen Allen, VA

Start: 10:08 a.m.
End: 4:35 p.m.

SAG Members Present:

Michael L. Toalson, HBAV
Bart Thrasher, VDOT (PM)
Adrienne Kotula, James River Association
Rick Parrish, Private Citizen (formerly SELC)
L. Eldon James, Jr., Rappahannock River
Chris Pomeroy, Aqua Law
Katie Frazier, Va. Agribusiness Council
Austin R. Mitchell, Amherst County
Philip F. Abraham, VACRE

Larry J. Land, VACO
Jimmy Edmonds, Loudoun County
Elizabeth A. Andrews, DEQ
Melanie Davenport, DEQ
James Golden, DEQ
M. Ann Neil Cosby, Sands Anderson
Peggy F. Sanner, Chesapeake Bay Foundation
Douglas Beisch, Stantec

SAG Members Absent:

Glenn Telfer, Draper Aden
Whitney Katchmark, HRPDC

Peter J. Rigby, Paciulli Simmons
Joe Lerch, VML

Facilitator: Mark Rubin, VCU

Recorder: Debra Harris, DEQ

Guests and Public Attendees:

Drew Hammond, DEQ
Fred Cunningham, DEQ
Joan Salvati, DEQ
Will Flory, Chesapeake Bay Foundation
Jim Flison, Dewberry
Christine Watlington, VDOT
Nick Bittner, Chesapeake Bay Foundation
Caleb Hurst, Clark Nexsen

Joe Wood, Chesapeake Bay Foundation
William Salomone, Clark Nexsen
Emily Russell, VCN
Chris French, Contech
Lee Hill, Joyce Engineering
Barbara Brumbaugh, City of Chesapeake
Malcolm Boswell, Applied Sciences & Info Systems

I. Agenda Item: Welcome & Review Minutes and Developments

Discussion: Mr. Rubin welcomed everyone to the meeting of the SAG¹ and asked each attendee to introduce themselves. Mr. Rubin explained that there is an open chair at the table for members of the public to use during a discussion and all attendees were reminded to sign-in. The agenda for the day (Attachment B) was reviewed and the SAG was then asked if there were any new developments and none were noted.

II. Agenda Item: Minutes

Discussion: The SAG had no comments on the minutes (Attachment B) from their May 11th meeting.

III. Agenda Item: Brief report on status of work group efforts

Discussion: The SAG was provided an overview/update on the work group efforts.

IV. Agenda Item: IWG - "Who does What"

Discussion: A recommendation from the IWG was presented to the SAG for discussion. In the IWG's recommendation, the erosion and sediment control program and stormwater program will be consolidated into one program. The proposal presented for discussion was reviewed (Attachment B –Proposed ESC&SWM Program). The SAG spent a considerable time discussing the pros and cons of the consolidated program especially in regards to the opt-in lite and opt-out options.

The SAG broke for lunch at 11:50 a.m. and reconvened at 1:01 p.m.

¹ See List of Acronyms in Attachment A

The SAG continued to discuss the proposed consolidated program and requested that DEQ begin to work on the language consolidating the ESCL and SWMA programs. The goal is that under the consolidated program, as proposed, the duplicative efforts and requirements will be eliminated so that there is only one program. The SAG requested that the DEQ continue to draft the strawmen incorporating the concept of a consolidated program.

V. Agenda Item: Discussion of Fees and Penalties

Discussion: The fee revision (Attachment B) was reviewed and the SAG discussed the revised language. The SAG deferred the penalties discussion (into what fund the penalties from DEQ's stormwater compliance and enforcement would be deposited) to the EWG and the effect of the consolidated program on fees to the IWG. The work groups will discuss and provide a recommendation to the SAG.

The SAG took a break from 2:33 p.m. until 2:47 p.m.

VI. Agenda Item: DEQ Strawman

Discussion: The SAG discussed five proposed strawmen and agreed to the revisions for entities other than localities serving as authorities and for review of multijurisdictional projects. The program compliance review revisions will be discussed in the EWG and the DEQ will continue to work on the strawmen for the other two issues (Training & Certification, and Annual Standards and Specifications) incorporating the SAG's comments/concerns.

The meeting was then adjourned.

Attachment A

List of Acronyms

Acronyms:

ACOE – Army Corps of Engineers

CBPA – Chesapeake Bay Preservation Act

DEQ – Department of Environmental Quality

DPOR - Department of Professional and Occupational Regulation

E&SC – erosion and sedimentation control

ESCL – Erosion and Sedimentation Control Law

EWG – Enforcement Work Group (a subgroup of the SAG)

RLD – Responsible Land Disturber

SAG – Stormwater Stakeholder Advisory Group

SWCL – State Water Control Law (in this context the term normally refers to the general provisions)

SWMA – Stormwater Management Act

VSMP – Virginia Stormwater Management Program

WWG – Wordsmithing Work Group (a subgroup of the SAG)

Attachment B Handouts



STORMWATER SAG
AGENDA 6-8-15.docx



Proposed E&SC_SWM
Program.docx



Fee Provisions.docx



SWMA, ESCL, CBPA -
DEQ edits for SAG mtg



VSMP Map V2
6-1-15.pdf



VSMP Map V4
4-9-15.pdf